

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JUN - 1 2005
DAVID J. MALAND, CLERK
DEPUTY

EVELYN TOUCHETTE, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

AT&T WIRELESS SERVICES, INC.
a/k/a AT&T WIRELESS,

Defendant.

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Civil Action No. 4-04-CV-262

JUDGE BROWN / JUDGE BUSH

ORDER ON JOINT MOTION TO APPROVE SETTLEMENT AGREEMENT

Before the Court is the parties' Joint Motion to Approve Settlement of Claims Under the Fair Labor Standards Act and to Enter Agreed Order and Agreed Final Judgment ("Joint Motion"), filed May 16, 2005.

In a letter to the Court dated April 15, 2005, Plaintiff Evelyn Touchette, on behalf of herself and others similarly situated ("Touchette") and Defendant AT&T Wireless Services, Inc. ("ATTWS") announced that they had reached a settlement. In their Joint Motion, the parties seek (a) the approval of this Court of the settlement agreement that the parties have reached and (b) entry of a final judgment dismissing this action with prejudice.

The Court finds that the Join Motion is well-taken and GRANTS the Motion.

The Court hereby ORDERS, that the persons listed on Exhibits A and B shall be deemed to be party plaintiffs in this suit as though they had been named in a formal pleading and that there are no other parties to this suit.

After reviewing the Joint Motion and the settlement agreement attached to the Joint Motion, the Court is of the opinion that the settlement reached is a fair and reasonable resolution of the disputed issues among the parties. The Court therefore APPROVES the settlement.


The Court will enter a separate judgment in accordance with Federal Rule of Civil Procedure 58.

IT IS SO ORDERED

SIGNED this 1st day of June, 2005.


UNITED STATES DISTRICT JUDGE

AGREED:




W. Gary Fowler
Attorney-in-Charge
Texas State Bar No. 07329590
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
Telephone: 214.953.6000
Facsimile: 214.953.5822
E-mail: gfowler@jw.com

Of Counsel:

Scott M. McElhaney
Texas State Bar No. 00784555
JACKSON WALKER L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
Telephone: 214.953.6000
Facsimile: 214.953.5822
E-mail: smcelhaney@jw.com

**ATTORNEYS FOR AT&T
WIRELESS SERVICES, INC.**



[by Scott M. McElhaney with express permission]

J. Derek Braziel

Texas Bar No. 00793380

Edwards & George, L.L.P.

208 N. Market Street, Suite 400

Dallas, TX 75202

(214) 749-1400 (Telephone)

(214) 749-1010 (Facsimile)

**ON BEHALF OF ALL
ATTORNEYS FOR PLAINTIFF**

EXHIBIT A
Settling Plaintiffs

Barber, Aaron G
Bigelow, Jassy E.
Birdwell, Feliciaette
Brittton, Stephanie M.
Butts, Sammie
Croft, Justin
Derrough, Ruthie
Ezzell, Chad M
Graham-Chapman, Herman
Hamilton, Cynthia
Hawkins, Gale
Honeycutt, Fredette
Johns, Rosalind Denise
Johnson, Dwight Wayne-Field
Kennedy, Lauren
Knight, Donnie
Moger, Susan
Moreno, Vanessa
Morse, Z
Nicholes, Roderick
Price, Samuel
Renteria, Jesus Alberto
Rice, Chester J
Rose, Scott Edward
Rosendahl, David
Scott, Dwayne
Senzani, Phillip P.
Simon, Casey
Simpson, Antonio
Skipper, Verna
Smith, Sean
Spears, Byron
Speer, Robert T
St. Clair, Kyle Wesley
Starnes, Paul
Touchette, Evelyn
Vuong, Cuong
Wade, Steven
Walker, Meredith
Washington, Glenn

Webb, Jennifer S.
Williams, Geoffrey Esau
Williams, Lance
Wright, Antoinette
Wright, Gail P

EXHIBIT B
Settling Plaintiffs (Con't)

Baumgart, Debra M.
Dane, Joseph P.
Gemmell, John P.
Pope, Calvin R.